

**City of Hurst  
City Council Minutes  
Tuesday, December 8, 2015**

On the 8th day of December 2015, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Bill McLendon	)	Mayor Pro Tem
Larry Kitchens	)	Councilmembers
Anna Holzer	)	
Henry Wilson	)	
Nancy Welton	)	
David Booe	)	
Allan Weegar	)	City Manager
John Boyle	)	City Attorney
Clay Caruthers	)	Assistant City Manager
Jeff Jones	)	Assistant City Manager
Rita Frick	)	City Secretary
Greg Dickens	)	City Engineer
Steve Bowden	)	Executive Director of Development
Michelle Lazo	)	Managing Director of Development

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Councilmember David Booe gave the Invocation.

The Pledge of Allegiance was given.

**CONSENT AGENDA**

1. Considered approval of the minutes for the November 10 and 16, 2015 City Council meetings.
2. Considered Ordinance 2305, second reading, SP-15-12 The Shops at Hurst Addition, a site plan for Lots 1 – 5, Block 1, Shops at Hurst Addition, being 9.29 acres located at 704-760 W. Pipeline Road.
3. Considered authorizing the city manager to enter into a Purchase Agreement with GT Distributors and Precision Delta Corporation to purchase ammunition for the police department.
4. Considered authorizing the Mayor to execute the Interlocal Agreement with Tarrant County for street right-of-way acquisition on Pipeline Road, Phase 3, from Lorean Branch Channel to Harrison Lane.

5. Considered authorizing the city manager to approve an Annual Miscellaneous Concrete Replacement Contract to Cam-Crete Contracting, Inc., for streets and drainage improvements.

Councilmember Wilson moved to approve the consent agenda. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

#### **PUBLIC HEARING(S) AND RELATED ITEM(S)**

6. Conducted a Public Hearing to consider, SP-15-14 i-Fly Indoor Skydiving, a site plan approval on Lot HR4, Block A, S. Hayworth Addition, being 1.10 acres located at 655 N.E. Loop 820.

Mayor Ward announced a public hearing and recognized Kimley Horn representative Holly Montie, 1002 Glencove, Richardson, Texas, who reviewed the proposed site plan noting the one story building, 51 parking spaces, screening for equipment and decorative landscaping. Architect Mike Wagdon, Dallas, reviewed site lighting and signage and provided an overview of the wind tunnel operation. Managing Director of Development Michelle Lazo reviewed the proposed plan including elevations, signage, lighting and the proposed business operation.

There being no one else to speak, Mayor Ward closed the public hearing.

In response to Councilmembers' questions, Ms. Lazo noted lighting already exists in the parking lot. Mr. Wagdon advised he did not believe i-Fly will share a sign with LA Fitness. He stated the channel letters on the building were not LED, and were medium density lighting. Mr. Wagdon also reviewed business operations and safety mechanisms in place to ensure safe flights.

7. Considered Ordinance 2302, first reading, SP-15-14 i-Fly Indoor Skydiving, a site plan approval on Lot HR4, Block A, S. Hayworth Addition, being 1.10 acres located at 655 N.E. Loop 820.

Councilmember Welton moved to approve SP-15-14 i-Fly Indoor Skydiving and Ordinance 2302. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

8. Conducted a Public Hearing to consider, SP-15-16 Chick-fil-A, a site plan revision for Lot A-2, Block 1, K-mart Plaza Addition, being .95 acre located at 1475 W. Pipeline Road.

Mayor Ward announced a public hearing and recognized applicant Bryan Burger, Burgess Engineering, 17103 Preston, Dallas, Texas, who stated the proposal was to expand the kitchen line. Managing Director of Development Michelle Lazo reviewed the proposed site plan, noting the drive-thru will not change, landscaping will shift to the south and the expanded building will have the same elevation as the existing building. She stated Chick-fil-A was adding the kitchen to make the drive thru faster.

In response to Councilmembers' questions, Mr. Burger stated the restaurant will close during construction.

9. Considered Ordinance 2307, first reading, SP-15-16 Chick-fil-A, a site plan revision for Lot A-2, Block 1, Kmart Plaza Addition, being .95 acre located at 1475 W. Pipeline Road.

Councilmember Holzer moved to approve SP-15-16 Chick-fil-A, a site plan revision for Lot A-2, Block 1, Kmart Plaza Addition and Ordinance 2307. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

#### **ORDINANCE(S)**

10. Considered Ordinance 2306, first reading, concerning the City's Storm Water Management Plan requirements for detection and elimination of illicit discharges and erosion and sediment control during construction and post construction.

Mayor Ward recognized City Manager Allan Weegar who noted this is Executive Director of Public Works Ron Haynes' last City Council meeting before retirement. Mr. Haynes reviewed the proposed ordinance noting another unfunded mandate by the Texas Commission on Environmental Quality (TCEQ). He explained the different implementation phases of the storm water management program, and that the City is currently in Phase II, which requires a program be developed and implemented to detect and eliminate the illicit discharges to the City's storm water system, and control erosion from sites during construction and post construction periods. Mr. Haynes reviewed the proposed ordinance requirements and in response to Councilmembers' questions, he stated staff does not believe costs will be significant, this budget year, as companies are aware of the regulations.

Councilmember Wilson moved to approve Ordinance 2306, concerning the City's Storm Water Management Plan requirements for detection and elimination of illicit discharges and erosion and sediment control during construction and post construction. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton

No: None

**ACTION ITEM(S)**

11. Considered authorizing the city manager to award the Construction Contract to Green Scaping Company for the State Highway 10 Landscaping Project.

Mayor Ward recognized Deputy City Manager Allan Heindel who reviewed the Green Ribbon Landscape Improvement grant process noting this grant is for the three main medians in front of Bell Helicopter. He reviewed the type of plant materials to be utilized in the medians, Bell Helicopter's participation in the project, and noted the total estimated project cost, including contingency, is \$380,244. He stated the TXDOT grant will cover \$370,000, and the City's portion of the project will be \$10,244. In response to Councilmembers' questions, Mr. Heindel stated the medians are in the City of Hurst, and maintenance costs are included in the annual operating budget.

Councilmember McLendon moved to authorize the city manager to award the construction contract to Green Scaping for State Highway 10 Landscaping Project, for an amount not to exceed \$380,244, with funding from the Special Projects Fund. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton  
No: None

12. Considered authorizing DocuNav Solutions to upgrade the Laserfiche Document Management Software.

Mayor Ward recognized Information Services Director Sunny Patel who briefed Councilmembers on the proposed software upgrade noting the City's Laserfiche Document Management Software has been in place for over 5 years and the vendor recently overhauled the platform and licensing costs. He explained that the current platform is having issues, which are affecting Municipal Court operations. Mr. Patel stated funding would be split between departments, utilizing Laserfiche, for a total cost not to exceed \$38,074. In response to Councilmembers' questions, Mr. Patel stated this is not part of the current budget.

Councilmember Booe moved the City Council authorize DocuNav Solutions to upgrade the City's Laserfiche Document Management Software, in an amount not to exceed \$38,074. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton  
No: None

**OTHER BUSINESS**

13. Councilmembers reviewed the following advisory board meeting minutes:
- HEB Teen Court Advisory Board
  - Historical Landmark Preservation Committee
  - Library Board (October 20 and November 17, 2015)
  - Parks and Recreation Board (October 15 and November 19, 2015)

- Hurst Senior Citizens Advisory Board (October 15 and November 19, 2015)
  - Traffic Safety Commission
  - Planning and Zoning Commission
14. Review of upcoming calendar items – Councilmembers noted the Senior Citizens' Banquet will be held Saturday evening.
15. City Council Reports – No reports were given.

**PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED**

Mayor Ward recognized students in attendance and Kimley Horn representative Kristen Omalike.

Mayor Ward recessed the meeting to Executive Session in compliance with the provisions of the Texas Open Meetings Law, authorized by Government Code, Section 551.071 to consult with City Attorney to seek advice regarding Pending or Contemplated Litigation Settlement Offers (City of Hurst V. Frank) and reconvened Open Session at 8:04 p.m.

16. Take any and all action necessary ensuing from Executive Session

Councilmember Wilson moved to settle the Frank Condemnation Suit, in the amount of \$44,469. Motion seconded by Councilmember Holzer. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Holzer, Wilson and Welton  
No: None

**ADJOURNMENT**


The meeting adjourned at 8:05 p.m.

**APPROVED** this the 12th day of January 2016.

**ATTEST:**

  
Rita L. Frick, City Secretary

**APPROVED:**

  
Richard Ward, Mayor